

Date of Deposit: November 8, 2005

Attorney Docket No. 24591-506



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Dhanoa *et al.*
SERIAL NUMBER : 10/768,579 EXAMINER : V. Balasubramanian
FILING DATE : January 30, 2004 ART UNIT : 1624
FOR : New Arylpipezinyl Compounds

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in this application are the following documents:

- ☒ Response to Restriction Requirement under 35 U.S.C. §121 (2 pages); and
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

Applicants believe that no fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 24591-506. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Nicholas P. Triano III, Reg. No. 36,397
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer Number 30623

Dated: November 8, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Dhanoa *et al.*
SERIAL NUMBER : 10/768,579 EXAMINER : V. Balasubramanian
FILING DATE : January 30, 2004 ART UNIT : 1624
FOR : New Arylpiperazinyl Compounds

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES
UNDER 35 U.S.C. §121**

This is in response to the Office Action dated October 17, 2005 in this application. In the Office Action, it was stated that claims 1-97 are generic to a plurality of disclosed patentably distinct species comprising piperazine, pyrimidinyl, pyrazinyl, pyrimidinyl and other species generically claimed. The Examiner required election for searching purposes only a single disclosed species for prosecution on the merits to which the claims shall be restricted if no other generic claim is allowable.

Accordingly, Applicants elect the following species:, upon which all of the claims read. Accordingly, Applicants elect the following species: N-{3-[4-(4-Cyclohexylmethanesulfonylamino-butyl)-piperazin-1-yl]-phenyl}-acetamide.

It is Applicants' understanding that this-made species election is for searching purposes only and upon a finding of allowability of the elected species, the remaining species will also be searched. Applicants further understand that upon the allowance of a generic claim, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141 et seq.

SUMMARY

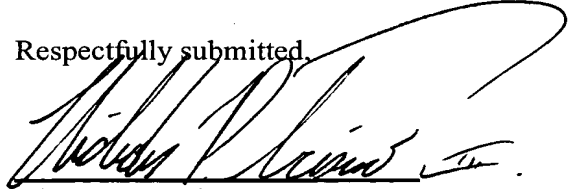
If a telephone conversation with Applicants' attorney would help expedite the prosecution of this application, the Examiner is invited to call Applicants' attorney at (617) 542-6000.

Applicants: Dhanoa *et al.*
Appl'n No.: 10/768,579

This document is timely filed. The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 24591-506.

Dated: November 8, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicholas P. Triano III", is written over a horizontal line.

Nicholas P. Triano III, Reg. No. 36,397
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer Number 30623
Customer Number 30623

TRA 2090856v.1